

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MEDIA MATTERS FOR AMERICA, *et al.*,

Plaintiffs,

v.

WARREN KENNETH PAXTON JR., in his
official capacity as Attorney General of the
State of Texas,

Defendant.

CIV. NO. 23-3363

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF
MOTION TO FILE COMPLAINT UNDER SEAL**

While Local Rule 102(2)(a) ordinarily requires the case caption in a complaint to include the addresses of all parties, Plaintiffs Media Matters for America (“Media Matters”) and Eric Hananoki have docketed a redacted complaint that omits Mr. Hananoki’s personal address for his own safety. *See* Compl., ECF No. 1. Plaintiffs now move under Local Rule 105(11) to file an unredacted version of their complaint under seal.

Courts in this District regularly permit plaintiffs to omit their home addresses from the case caption where the plaintiffs have “demonstrated a fear for their safety that is supported by specific factual representations,” and “disclosure of Plaintiffs’ addresses is not essential to their claim’s progression.” *Brannam v. Fidelity Direct Mortg., LLC*, Civil Action No. DKC 18-3306, 2019 WL 2642832, *2 (D. Md. June 27, 2019); *see also, e.g., Zaid v. Dep’t of Homeland Security*, Civil Action No. DKC 22-1602, 2022 WL 4448863, at *1 (D. Md. Sept. 23, 2022) (granting leave to file complaint using counsel’s address in place of plaintiff’s address); *Portillo v. H Rest. & Night Club LLC*, No. GJH-21-2894, 2022 WL 2703835, at *1 (D. Md. July 12, 2022) (granting leave to

file complaint omitting plaintiffs' home address); *CASA de Maryland, Inc. v. Trump*, No. PWG-19-2715, 2019 WL 8989594, at *2 (D. Md. Oct. 1, 2019) (same); *Reaves v. Jewell*, Civil Action No. DKC-14-2245, 2014 WL 6698717, at *2 (D. Md. Nov. 26, 2014) (granting leave to file complaint with unredacted home address under seal).

As detailed in the redacted complaint filed earlier today, Plaintiffs have been targeted with vitriol and harassment. *See* Compl. ¶¶ 44–57. On November 16, 2023, Media Matters published on its website an article written by Mr. Hananoki, its Senior Investigate Reporter, documenting fringe and extremist rhetoric on the social media platform X, and observing (with documented examples) that X permits the placement of advertisements from major brands next to this content. *Id.* ¶ 4. In response, X filed what owner Elon Musk warned would be a “thermonuclear” lawsuit against Plaintiffs; Defendant Texas Attorney General Kenneth Paxton issued a civil investigative demand requiring these non-Texas-resident Plaintiffs to turn over to his office a swathe of internal documents protected from disclosure by the First Amendment and reporter shield laws; and, in the wake of such widely reported events, individuals have directed at Plaintiffs all manner of harassing and intimidating threats. *Id.* ¶¶ 5–7. As Mr. Hananoki explained in his declaration accompanying Plaintiffs’ motion for a temporary restraining order and preliminary injunction, he has “experienced harassment, including hateful and threatening messages,” since Mr. Paxton announced his investigation. Hananoki Decl., ¶ 28, ECF No. 2-3. Media Matters’s Chief Operating Officer has also confirmed “a significant influx of threats,” including “violent death threats,” against Media Matters’s staff and Mr. Hananoki. Padera Decl. ¶ 21, ECF No. 2-2. In fact, Ms. Padera explained, the increased harassment in response to Mr. Hananoki’s November 16 article

“has become so severe that Media Matters has been forced to hire an outside security firm to protect its employees.” *Id.* ¶ 22.

Ultimately, adding Mr. Hananoki’s home address to the public-facing complaint “does little to further the openness of judicial proceedings.” *CASA de Maryland, Inc.*, 2019 WL 8989594, at *2. The redacted complaint already includes Mr. Hananoki’s full name and county of residence; “[a]s such, Defendant[] know[s] who [he] is,” and Mr. Paxton is “fully capable of investigating and responding to the allegations in the Complaint.” *Portillo*, 2022 WL 2703835, at *2. Alternatively, Plaintiffs seek leave to file an unredacted complaint that lists undersigned counsel’s address in place of Mr. Hananoki’s home address. *See Zaid*, 2022 WL 4448863, at *1.

Dated: December 12, 2023

Respectfully submitted,
/s/ Tina Meng Morrison

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**Pro hac vice* application forthcoming

**Application for admission pending

Counsel for Plaintiffs Media Matters for America and Eric Hananoki

CERTIFICATE OF SERVICE

I hereby certify that this document will be served on the Defendant in accordance with Federal Rule of Civil Procedure 5(a).

/s/ Tina Meng Morrison
Tina Meng Morrison